



## **DEPARTMENT OF MENTAL HEALTH**

# **REQUEST FOR PROPOSALS TO PROVIDE MENTAL HEALTH SUPPORTIVE SERVICES TO CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CaIWORKs) PARTICIPANTS**

**Bid No. DMH072816B1**

**July 28, 2016**

**Prepared By  
County of Los Angeles  
Contracts Development & Administration Division**

COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH

**MENTAL HEALTH SERVICE AREAS**

**C O M M U N I T I E S / C I T I E S**

- SERVICE AREA 1** -Lancaster, Palmdale
- SERVICE AREA 2** -Agoura Hills, Burbank, Calabasas, Glendale, Hidden Hills, L. A. (Part), La Cañada-Flintridge, San Fernando, Santa Clarita, Westlake Village
- SERVICE AREA 3** -Alhambra, Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, Monterey Park, Pasadena, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Temple City, Walnut, West Covina
- SERVICE AREA 4** -L.A. (Part), West Hollywood
- SERVICE AREA 5** -Beverly Hills, Calabasas, Culver City, L.A. (Part), Malibu, Santa Monica
- SERVICE AREA 6** -Compton, L.A. (Part), Lynwood, Paramount
- SERVICE AREA 7** -Artesia, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Cudahy, Downey, Hawaiian Gardens, Huntington Park, L. A. (Part), La Habra Heights, La Mirada, Lakewood, Maywood, Montebello, Norwalk, Pico Rivera, Santa Fe Springs, South Gate, Vernon, Whittier
- SERVICE AREA 8** -Avalon, Carson, El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, L. A. (Part), Lawndale, Long Beach, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Signal Hill, Torrance



# COUNTY OF LOS ANGELES DEPARTMENT OF MENTAL HEALTH

## MENTAL HEALTH SERVICE AREAS



The Department of Mental Health divides the County into eight service areas.

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## **1.0 INTRODUCTION**

The Los Angeles County Department of Mental Health (DMH) is issuing this Request for Proposals (RFP) to solicit proposals for a Contract with an organization that can provide mental health supportive services to California Work Opportunity and Responsibility to Kids (CalWORKs) participants.

## **2.0 PURPOSE/AGREEMENT FOR CALWORKS MENTAL HEALTH SUPPORTIVE SERVICES**

### **2.1 Background and Overview**

#### **California Welfare Reform**

CalWORKs is a welfare program that provides temporary financial assistance and employment services to families with minor children. In 1997, Governor Wilson signed Assembly Bill 1542 conforming California's welfare program to federal standards. Temporary Assistance for Needy Families (TANF) is the federal block grant welfare funding source for CalWORKs. CalWORKs sets statewide eligibility standards, but gives counties flexibility in designing programs to meet local needs. CalWORKs is administered in Los Angeles County by the Department of Public Social Services (DPSS).

Families who apply and qualify for CalWORKs assistance receive money each month to help pay for housing, food and other necessary expenses. Eligible families receive cash aid, Medi-Cal and Food Stamps. Most aided parents are required to participate in DPSS' Welfare-to-Work (WtW) program.

DPSS' WtW program, Greater Avenues for Independence (GAIN), helps adult CalWORKs family members acquire the skills needed to get a job. Parents or caretakers of CalWORKs aided children, unless exempted from work by DPSS, are required to meet work requirements by participating in WtW activities. These WtW activities include unsubsidized and subsidized employment, on-the-job work experience, community service, vocational training, educational services, mental health, substance use disorder or domestic violence treatment services.

### **2.1.1 CalWORKs Welfare-to-Work (WtW) Mental Health Supportive Services**

DPSS allocates State CalWORKs funding to county departments, specifically DMH for CalWORKs mental health supportive services, and Department of Public Health – Substance Abuse Prevention & Control for substance use disorder services. DMH is charged with providing a wide range of employment focused mental health treatment services that are specifically designed to help individuals overcome barriers that may be hindering them from obtaining and retaining employment.

## **2.2 OVERVIEW OF SOLICITATION DOCUMENT**

This RFP is composed of the following parts:

- **INTRODUCTION:** Indicates County's desire to solicit proposals for the particular services contained in this RFP.
- **PURPOSE:** Describes the scope of services and any background information to explain the services desired.
- **PROPOSER'S MINIMUM MANDATORY QUALIFICATIONS:** Specifies the Proposer's Minimum Mandatory Qualifications, provides information regarding the requirements of the Contract and the solicitation process.
- **COUNTY'S RIGHTS AND RESPONSIBILITIES:** Includes County's Rights and Responsibilities of the RFP.
- **PROPOSER'S REQUIREMENTS AND CERTIFICATIONS:** Includes Proposer's Requirements and Certifications of the RFP.
- **COUNTY'S PREFERENCE PROGRAMS:** Specifies County's Preference Program.
- **PROPOSAL SUBMISSION REQUIREMENTS:** Includes instructions to Proposers on how to prepare and submit their proposal.
- **SELECTION PROCESS AND EVALUATION CRITERIA:** Includes information on how the proposals will be selected and evaluated.
- **APPENDICES:**
  - **A - SAMPLE CONTRACT:** Identifies the terms and conditions in the Contract.
  - **B - STATEMENT OF WORK:** Explains in detail the required services

to be performed by the Contract.

- **B1- STATEMENT OF WORK EXHIBITS:** Exhibits to the Statement of Work.
- **C - REQUIRED FORMS:** Forms that must be completed and included in the proposal.
- **D - INTENTIONALLY OMITTED**
- **E - TRANSMITTAL FORM TO REQUEST A RFP SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department requesting a Solicitation Requirements Review.
- **F - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County policy.
- **G - JURY SERVICE ORDINANCE:** County Code.
- **H - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
- **I - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
- **J - SAFELY SURRENDERED BABY LAW:** County program.
- **K - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist Nonprofit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.
- **L - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County Code.

### **2.3 Acronyms/Terms and Definitions**

Throughout this RFP, references are made to certain specialized terms, persons, groups, or Departments/Agencies. For convenience, a list of acronyms/terms and definitions can be found in Appendix B1, SOW Exhibits, Exhibit 1.

### **2.4 Statement of Work**

Contractor shall be expected to implement the Statement of Work (SOW) that is contained in Appendix B, of this RFP.

## **2.5 Sample Agreement: County Terms and Conditions**

Contractor shall be expected to implement the DMH Legal Entity Sample Contract as contained in Appendix A, of this RFP.

### **2.5.1 Anticipated Contract Term**

The contract term is anticipated to be for a period of 3 years. The contract is anticipated to commence following Board of Supervisors' award.

Proposers submitting a proposal to provide services identified in the SOW 2.0 shall submit a proposed annual budget consistent with the optimal size of the proposed program, and not greater than the total allocation for each fiscal year. **Projected funding is subject to change based on the State's annual funding allocation.**

### **2.5.2 Contract Rates**

County will compensate Contractor on a cost reimbursement basis for services provided at the Contractor's provisional rate approved by the Department. In no event shall total reimbursement exceed County's maximum financial obligation specified in the Contract.

### **2.5.3 Funding**

**2.5.3.1** The total funding available from the State CalWORKs allocation for this RFP is estimated at \$13.4 million for Fiscal Year (FY) 2017-18 and dependent on State funding. For the following contract term, the State will allocate an annual amount of CalWORKs allocation via the DPSS for mental health supportive services. The amount of CalWORKs funding will be based on the State's annual budget. Proposers submitting a proposal to provide CalWORKs mental health supportive services shall submit a proposed annual budget consistent with the optimal size of the proposed program, and not greater than the allocation per award.

**2.5.3.2** Funding will be distributed to each SA based on DPSS WtW GAIN Employment Activity and Reporting System (GEARS)

referral data and DMH Integrated System (IS) data for FY 2014-15. The distribution is as follows:

SA	Percentage of Total Allocation	Proposed Allocation	Number of Awards	Allocation Per Award
1	8%	\$ 1,077,557	2	\$ 538,779
2	20%	\$ 2,693,892	5	\$ 538,778
3	16%	\$ 2,155,114	4	\$ 538,779
4	9%	\$ 1,212,251	2	\$ 606,125
5	4%	\$ 538,778	1	\$ 538,778
6	19%	\$ 2,559,197	5	\$ 511,839
7	15%	\$ 2,020,419	4	\$ 505,105
8	9%	\$ 1,212,251	2	\$ 606,126
Total:	100%	\$ 13,469,459	25	

**2.5.3.3** If a Proposer has not yet secured all necessary resources to begin the proposed SA project, DMH may make an award contingent upon the securing of necessary resources within 30 days. If Proposer does not fulfill this 30 day requirement, the CalWORKs allocation will be forfeited.

#### **2.5.4 Days of Operation**

The Contractor shall be required to provide CalWORKs mental health supportive services a minimum of eight (8) hours per day, Monday through Friday from 8:00 a.m. until 5:00 p.m. Extended/flexible hours are encouraged to meet the needs of CalWORKs WtW participants. It is required that a proposer offers treatment services during the work week (M-F) as well as extended evening hours or Saturdays to meet the needs of employed CalWORKs WtW participants. For emergencies and/or crisis situations, CalWORKs WtW participants should be linked to an Officer of the day or have linkage to treatment services. The Contractor is not required to provide services on County-recognized holidays. The County's Contract liaison will provide a list of the County holidays to the Contractor at the time the Contract is approved, and annually, at the beginning of the calendar year.

### **2.5.5 Indemnification and Insurance**

Contractor shall be required to comply with the indemnification provisions contained in - Appendix A, Sample Contract, Paragraph 21. The Contractor shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in the Appendix A, Sample Contract, Paragraph 21 B1.

### **2.5.6 SPARTA Program**

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Merriwether & Williams. For additional information, Proposers may call Merriwether & Williams toll free at (800) 420-0555 or can access their website directly at [www.2sparta.com](http://www.2sparta.com)

### **2.5.7 Health Insurance Portability and Accountability Act of 1996**

Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, as contained in Appendix A, Sample Contract, Paragraph 55.

## **3.0 PROPOSER'S MINIMUM MANDATORY QUALIFICATIONS**

Proposer shall meet the following minimum mandatory qualifications in order to be considered responsive and to have their CalWORKs mental health supportive services proposal move on in the evaluation process. Any proposal submitted that fails to demonstrate that Proposer meets these minimum mandatory qualifications may be considered non-responsive and the proposal may be rejected at the County's sole discretion. Proposer must provide a written statement or proof of documentation including a signed statement attesting compliance with the Minimum Mandatory Qualifications listed below:

**3.1.1** Proposer must comply with the RFP format and requirements, including

those stated in Section 7.0 of this RFP when submitting its proposal.

- 3.1.2** Proposer must attend the Mandatory Proposers' Conference. Proposer will be required to legibly sign a sign-in sheet provided by LACDMH.
- 3.1.3** Proposer must submit a Mandatory Letter of Intent to Submit a Proposal, as set forth in Proposal Submission Requirements, Section 7.6 respectively of this RFP. Mandatory Letter of Intent to Submit a Proposal must be submitted to LACDMH by 12:00 PM.
- 3.1.4** Proposer must have (5) years of experience providing integrated mental health services, within the last five (5) years, to individuals and families.
- 3.1.5** Proposer must have five (5) years of demonstrated experience in contracting with either a private or public entity providing integrated mental health services to individuals and families.
- 3.1.6** Proposer must demonstrate that any and all interns providing clinical mental health supportive services to CalWORKs WtW participants must have achieved a minimal educational requirement of a Master's degree in their clinical discipline.
- 3.1.7** Proposer must demonstrate that existing programs within their agency would support the absorption of existing CalWORKs participants being serviced within their respective Service Area (SA) if awarded a CalWORKs allocation for FY 2017-18.
- 3.1.8** Proposer must be a Community Based Organization (CBO) for profit or non-profit. Proposer must demonstrate their presence and their level of commitment and experience to the SA (s) to be served by documenting in their proposal their collaboration with other agencies in the community and the services that are currently being provided.
- 3.1.9** Proposer must not currently have a Settlement Agreement with DMH for repayment of County funds. DMH has placed a moratorium on expansion and/or implementation of any new programs for Proposers with such Settlement Agreements. Any exemption under the moratorium will require justification that this restriction will not negatively impact planned program services.

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### **3.1.10 Technology Requirements**

**3.1.10.1** Proposer shall acquire, manage, and maintain Proposer's own information technology and systems and/or services in order to meet all functional and Electronic Data Interchange (EDI) transaction requirements as specified by County, as referenced in:

- (1) Web Services Companion Guide
- (2) IBHIS 837 5010 Companion Guide

[http://lacdmh.lacounty.gov/hipaa/IBHIS\\_EDI\\_homepage.htm](http://lacdmh.lacounty.gov/hipaa/IBHIS_EDI_homepage.htm)

**3.1.10.2** Proposer shall ensure that all individuals using electronic methods to sign electronic health records in the performance of work specified under this RFP complete an Electronic Signature Agreement annually.

- (1) Proposer shall maintain a copy of each Electronic Signature Agreement and make them available for inspection by County upon request.
- (2) Proposer shall submit to County a Legal Entity Electronic Signature Certification to certify compliance with this provision of this RFP. Proposers who implement electronic methods to sign electronic health records subsequent to the execution of this RFP shall submit to County a Legal Entity Electronic Signature Certification immediately upon implementation.

County has a Legal Entity Electronic Signature Certification and a sample Electronic Signature Agreement available at [http://lacdmh.lacounty.gov/hipaa/ffs\\_EDI\\_Secure\\_File\\_Transfer.htm](http://lacdmh.lacounty.gov/hipaa/ffs_EDI_Secure_File_Transfer.htm)

**3.1.10.3** Proposer shall be solely responsible for complying with all applicable State and federal regulations affecting the maintenance and transmittal of electronic information.

**3.1.11** Proposer must demonstrate that it understands and agrees that it will

be responsible for compliance with applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and that it will take all necessary and reasonable actions to comply with the applicable requirements of HIPAA.

**3.1.12** Proposer must register in the County's WebVen and provide Provider Identification Number (ID) as proof of registration. Registration can be accomplished online via the Internet by accessing the County's home page at <http://camisvr.co.la.ca.us/webven/>

**3.1.13** Proposer must not be on the Los Angeles County Debarment List (<http://doingbusiness.lacounty.gov/DebarmentList.htm>)

**3.1.14** Proposer must complete all Required Forms included as set forth in Appendix C - Required Forms Exhibits 1 through 16.

#### **4.0 COUNTY'S RIGHTS AND RESPONSIBILITIES**

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Contract unless such understanding or representation is included in the Contract.

##### **4.1 Final Contract Award by the Board of Supervisors**

Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

##### **4.2 County Option to Reject Proposals**

Proposers are hereby advised that this RFP is an informal solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a contract or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP or may, in its sole discretion, reject all proposals and cancel the RFP in its entirety. The County shall not be liable for any costs incurred by the Proposer in connection with the preparation and submission of any proposal.

The County reserves the right to waive inconsequential disparities in a submitted proposal.

#### **4.3 County's Right to Amend Request for Proposals**

The County has the right to amend the RFP by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFP. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal being found non-responsive and not being considered, as determined in the sole discretion of the County. The County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

#### **4.4 Background and Security Investigations**

Background and security investigations of Contractor's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting Contract. The cost of background checks is the responsibility of the Contractor.

#### **4.5 County's Quality Assurance Plan**

After contract award, the County or its agent will evaluate the Contractor's performance under the contract on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the Contract and performance standards identified in the Statement of Work. Contractor's deficiencies which the County determines are severe or continuing and that may jeopardize performance of the Contract will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Contract in whole or in part, or impose other penalties as specified in the Contract.

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## 5.0 PROPOSER'S REQUIREMENTS AND CERTIFICATIONS

### 5.1 Notice to Proposers Concerning the Public Records Act

**5.1.1** Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, the recommended proposer's proposal will become a matter of public record when (1) contract negotiations are complete; (2) (Department) receives a letter from the recommended Proposer's authorized officer that the negotiated contract is the firm offer of the recommended Proposer; and (3) (Department) releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055.

Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when the Department's proposer recommendation appears on the Board agenda. Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the Proposer as "Trade Secret," "Confidential," or "Proprietary."

**5.1.2** The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. The Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

**5.1.3** In the event the County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "confidential," "trade secrets," or "proprietary," Proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

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## **5.2 Contact with County Personnel**

All contact regarding this RFP or any matter relating thereto must be in writing and may be mailed, e-mailed or faxed as follows:

Angel Baker, Interim Chief  
Contracts Development and Administration Division  
County of Los Angeles – Department of Mental Health  
550 South Vermont Avenue, 5<sup>th</sup> Floor, Room 500  
Los Angeles, CA 90020  
E-mail address: [abaker@dmh.lacounty.gov](mailto:abaker@dmh.lacounty.gov)  
Fax No. (213) 381-7092

If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

## **5.3 Protest Policy Review Process**

**5.3.1** Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 5.3.3 below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sections below. It is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

**5.3.2** Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on a Proposer protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

### **5.3.3 Grounds for Review**

Unless State or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 are limited to the following:

- Review of Solicitation Requirements (Reference Section 7.3 in the Proposal Submission Requirements Section);
- Review of a Disqualified Proposal (Reference Section 8.3 in the Selection Process and Evaluation Criteria Section);
- Review of Proposed Contractor Selection (Reference Section 8.6 in the Selection Process and Evaluation Criteria Section).

#### **5.4 Injury and Illness Prevention Program**

Contractor shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

#### **5.5 Confidentiality and Independent Contractor Status**

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in Paragraph 15 and the Independent Contractor Status provision contained in Paragraph 25 in Appendix A, Sample Contract.

#### **5.6 Conflict of Interest**

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix C - Required Forms Exhibit 5, Certification of No Conflict of Interest.

#### **5.7 Determination of Proposer Responsibility**

**5.7.1** A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.

**5.7.2** Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any

contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities.

- 5.7.3** The County may declare a Proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 5.7.4** If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 5.7.5** If the Proposer presents evidence in the rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.
- 5.7.6** These terms shall also apply to proposed subcontractors of Proposers on County contracts. (For the purpose of this RFP, no subcontractors may be contracted)

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## **5.8 Proposer Debarment**

**5.8.1** The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicated a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

**5.8.2** If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.

**5.8.3** The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

**5.8.4** After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

**5.8.5** If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

**5.8.6** The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

**5.8.7** The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The

Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

**5.8.8** These terms shall also apply to proposed subcontractors of Proposers on County contracts. (For the purpose of this RFP, no subcontractors may be contracted)

**5.8.9** Appendix H provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

## **5.9 Adherence to County's Child Support Compliance Program**

Proposers shall: 1) fully comply with all applicable State and federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

## **5.10 Gratuities**

### **5.10.1 Attempt to Secure Favorable Treatment**

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the Contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Contract.

### **5.10.2 Proposer Notification to County**

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure

to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

### **5.10.3 Form of Improper Consideration**

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

### **5.11 Notice to Proposers Regarding the County Lobbyist Ordinance**

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification, as set forth in Appendix C - Required Forms Exhibit 6, as part of their proposal.

### **5.12 Federal Earned Income Credit**

The Contractor shall notify its employees that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015. Reference Appendix I.

### **5.13 Consideration of GAIN/GROW Participants for Employment**

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General

Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall submit a completed, "Attestation of Willingness to Consider GAIN/GROW Participants", form, as set forth in Appendix C - Required Forms, Exhibit 9, along with their proposal.

#### **5.14 Recycled Bond Paper**

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Appendix A, Sample Contract, Paragraph 52.

#### **5.15 Safely Surrendered Baby Law**

The Contractor shall notify and provide to its employees a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Appendix J of this solicitation document and is also available on the Internet at [www.babysafela.org](http://www.babysafela.org) for printing purposes.

#### **5.16 Jury Service Program**

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the Jury Service Ordinance, Appendix G, and the pertinent jury service provisions of the Sample Contract, Appendix A, Paragraph 57, both of which are incorporated by reference into and made a part of this RFP.

Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

**5.16.1** The Jury Service Program requires Contractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any

fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

**5.16.2** There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this Contract is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

**5.16.3** If a Contractor does not fall within the Jury Service Program’s definition of “Contractor” or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the Certification Form and Application for Exception, Exhibit 10 in Appendix C - Required Forms, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor’s application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County’s decision will be final.

**5.17 Notification to County of Pending Acquisitions/Mergers by Proposing Company**

The Proposer shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Proposer on Required Form– Appendix C, Exhibit 1 - Proposer’s Organization Questionnaire/Affidavit. Failure of the Proposer to provide this information may eliminate its proposal from any further consideration. Proposer shall have a continuing obligation to notify County of changes to the information contained in Exhibit 1 (Proposer’s Organization Questionnaire/Affidavit) during the pendency of this RFP by providing a revised Exhibit 1 (Proposer’s Organization Questionnaire Exhibit 1) to the County upon the occurrence of any event giving rise to a change in its previously-reported information.

**5.18 Proposer’s Charitable Contributions Compliance**

**5.18.1** California’s “Supervision of Trustees and Fundraisers for Charitable Purposes Act” regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Contractors should carefully read the Background and Resources: California Charities Regulations, Appendix K New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing

business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

**5.18.2** All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 11 as set forth in Appendix C - Required Forms. A completed Exhibit 11 is a required part of any agreement with the County.

**5.18.3** In Exhibit 11, prospective contractors certify either that they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement,

- OR -

they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

**5.18.4** Prospective County contractors that do not complete Exhibit 11 as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202)

## **5.19 Defaulted Property Tax Reduction Program**

**5.19.1** The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the Defaulted Tax Program Ordinance, Appendix M, and the pertinent provisions of the Sample Contract, Appendix A,

Paragraph 64, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

**5.19.2** Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with The County's Defaulted Property Tax Reduction Program, Exhibit 12 in Appendix C – Required Forms. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

**5.19.3** Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

## **5.20 Time Off for Voting**

The Contractor shall notify its employees, and shall require each subcontractor to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than 10 days before every statewide election, every Contractor and subcontractors shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

## **6.0 COUNTY'S PREFERENCE PROGRAM**

### **6.1 County Policy on Doing Business with Small Business**

**6.1.1** The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

**6.1.2** The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that different Programs have a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanations of this Program is provided in Paragraph 5.16 - Jury Service Program of this RFP.

**6.1.3** The County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

## **7.0 PROPOSAL SUBMISSION REQUIREMENTS**

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their proposal.

### **7.1 Truth and Accuracy of Representations**

False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final. All proposals shall be firm and final offers and may not be withdrawn for a period of one hundred eighty (180) days following the final proposal submission date.

### **7.2 RFP Timetable**

The timetable for this RFP is as follows:

- Release of RFP ..... 7-28-16
- Request for a Solicitation Requirements Review Due  
(10 business days after release of solicitation document) ..... 8-11-16
- Mandatory Proposers' Conference..... 8-30-16
- Mandatory Letter of Intent Due by 12:00 P.M. Pacific Standard Time.... 9-06-16
- Release of Proposers' Conference Transcripts..... 9-15-16
- Proposals are due at the 5<sup>th</sup> floor reception desk by 12:00 Noon, Pacific Standard Time ..... 9-27-16

### **7.3 Solicitation Requirements Review**

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E - Transmittal Form to Request a Solicitation Requirements Review to the Department conducting the solicitation as described in this Section. A

request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request for a Solicitation Requirements Review asserts either that:
  - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
  - b. due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

#### **7.4 Proposers' Questions**

Questions will be answered at the Mandatory Proposers' Conference on August 30, 2016 and all responses will also be provided in the Proposers' Conference transcripts to be released on September 15, 2016.

**There will be no responses to any questions/inquiries presented after the Proposers' Conference.**

#### **7.5 Proposers' Conference**

A **Mandatory Proposers' Conference** will be held to discuss the RFP. County staff will respond to questions from potential Proposers. Proposer **must** attend the Mandatory Proposers' Conference; there will be a sign-in sheet and you must sign legibly. All potential Proposers must attend this Mandatory Proposers'

Conference, or their proposals will be rejected as non-responsive and disqualified without review and eliminated from further consideration. *There will be no admittance to the conference after 9:10 a.m. (no exceptions).* The conference is scheduled as follows:

**Tuesday, August 30, 2016**

8:30 a.m. Registration

9:00 a.m. – 12:00 p.m. Conference

St. Anne's Foundation Room

155 North Occidental Boulevard

Los Angeles, CA 90026

(213) 381-2931

**Please bring your own copy of the RFP to the Conference**

**7.6 Mandatory Letter of Intent**

Proposer shall submit a **Mandatory Letter of Intent** on agency letterhead with original signature to submit a proposal for this RFP to LACDMH on the 5<sup>th</sup> Floor, Room 500, on or before 5:00 p.m., Pacific Standard Time (P.S.T.), September 6, 2016, which is four (4) business days after the proposers' Conference. No facsimile (fax) or electronic mail (e-mail) of the Mandatory Letter of Intent will be accepted. Proposer must include the following information on the Proposer's stationery in the Mandatory Letter of Intent:

- Name of Agency
- Address of Legal Entity or Agency
- SA (s) to be served
- Focal Population(s) to be served
- Clear description of CalWORKs mental health supportive service(s) to be provided.

The Mandatory Letter of Intent shall be delivered or mailed to:

Angel Baker, Interim Chief

Contracts Development and Administration Division

County of Los Angeles - Department of Mental Health

550 S. Vermont Avenue, 5th Floor, Room 500

Los Angeles, CA 90020

and/or

Proposer may submit a Mandatory Letter of Intent at the end of the Mandatory Proposers' Conference.

**The Mandatory Letter of Intent does not obligate an agency to submit a Proposal**

**7.7 Preparation of the Proposal**

All Proposals must be bound and submitted in the prescribed format. Proposer must submit a separate and complete proposal for each SA to which the proposer applies.

The objective of the Proposal submission is for LACDMH to ascertain the Proposer's ability to provide or exceed the required service level. Any Proposal that deviates from this format may be rejected without review at the County's sole discretion.

In preparing the Proposal, the Proposer shall ensure the following:

- Text must be legible, typewritten, and double-spaced.
- The font must be in Arial typeface and a font size of 12 points . No other font typeface or smaller point size may be used in the Proposal Narrative. (Type size in charts, tables, graphs, and footnotes will not be considered in determining compliance.) Margins must be at least one inch each (left, right, top, bottom).
- Proposal must be bound in a three-ring binder. A total of nine (9) copies of the entire proposal is required; one original document and eight (8) copies numbered 1– 8.
- Pages must be numbered consecutively from beginning to end so that information can be located easily during review of the Proposal. The cover page should be page 1, the transmittal letter should be page 2, etc. Appendices should be labeled and separated from the Proposal, and the pages should be numbered consecutively to continue the sequence.
- Transmittal letter shall be included in the Proposal.
- The Proposal Narrative sections may not total more than 52 pages (see Section 7.8 below for page limitations per section).
- In preparing the written Proposal, the Proposer should use its own words and not copy the language in the RFP. The Proposer should ensure that the

Proposal responds completely and thoroughly to all requirements set forth in this RFP. Specific information is requested from all Proposers to ensure that the Proposal can be fairly compared and evaluated in a standard manner.

- The Proposer must respond to this RFP in accordance with the specifications for content and sequence set forth in the Proposal Format herein below. Failure to adhere to these specifications may be cause for rejection of the Proposal. No correction or re-submission shall be accepted after the Proposal deadline.
- Odd-sized and oversized attachments such as posters will not be copied or sent to reviewers. Do not include videotapes, audiotapes, or compact disks.
- Only information that is contained in the written Proposal will be evaluated. The County reserves the right to waive any inconsequential irregularity in a submitted Proposal.

All Proposals must be bound and submitted with tabbed sections labeling each part of the Proposal Format as specified throughout Section 7.8. Any Proposal that deviates from this format may be rejected without review at the County's sole discretion.

## **7.8 Proposal Format**

Proposers shall ensure that the Proposal includes all the required documents in the specified sequence. The content and sequence of the proposal must be as follows:

- Cover Page
- Transmittal Letter
- Proposer's Minimum Mandatory Qualifications including signed attestation
- Table of Contents
- Executive Summary (Section A)
- Proposer's Qualifications (Section B)
- Proposer's Approach to Provide Required Services (Section C)
- Proposer's Quality Control Plan (Section D)
- Proposer's Staffing Plan (Section E)
- Budget (Section F)
- Proposer's Green Initiatives (Section G)

- Terms and Conditions in Sample Contract, and Requirements of the SOW: Acceptance of (Section H)
- Proposal Required Forms (Section I)

#### **7.8.1 A. Cover Page**

The cover page shall, at a minimum, identify the document as a Proposal stating the exact name and number of the RFP, Proposal submission date, and the Proposer's name. It must also indicate the SA in which the proposed services will be provided.

#### **B. Transmittal Letter**

The transmittal letter must be on the Proposer's stationery. The transmittal letter must include the Proposer's name, address, email address, telephone and facsimile numbers of the person or persons to be used for contact and who will be authorized to represent the Proposer. **The transmittal letter must bear the signature of the person authorized to sign on behalf of the Proposer and to bind the applicant in a Contract.**

#### **7.8.2 Proposer's Minimum Mandatory Qualifications**

Proposers applying for the CalWORKs Mental Health Supportive Services RFP must meet all Minimum Mandatory Qualifications as stated in the RFP, Section 3.0, at the time of submission. If LACDMH deems that the Proposer does not meet these qualifications, the proposal shall not receive further consideration. Proposer's Minimum Mandatory Qualifications submission must include a signed attestation confirming that the proposer has met these qualifications.

#### **7.8.3 Table of Contents**

List all material included in the Proposal. Include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

#### **7.8.4 Executive Summary (Section A) (limit 6 pages)**

Condense and highlight the contents of the Proposal to provide DMH with a broad understanding of the Proposer's approach, qualifications, experience, and staffing as reflected in the SOW, Appendix B.

Additionally, include the following:

- 1) A Mission Statement.
- 2) The location and geographic coverage of the proposed program.
- 3) The target population to be served including any cultural factors in the identified SA to be considered in the provision of services.
- 4) Proposer should place special emphasis on how the proposed scope of work and approach will meet the primary objectives of short-term, intensive, employment-focused program services for the contract resulting from the RFP.
- 5) Proposer must submit a separate proposal for each S A and document on their proposal how services are being delivered and their level of commitment to the CalWORKs population.

**7.8.5 Proposer's Qualifications (Section B) (limit 15 pages)**

Demonstrate that the Proposer's organization has the experience to perform the required services. The following sections must be included:

**A. Proposer's Background and Experience (Section B.1)**

Provide a summary of relevant background information to demonstrate that the Proposer meets the Minimum Mandatory Qualifications stated in Section 3.0 of this RFP and has the capability to perform the required services as a corporation or other entity.

1. Proposer must submit an Organizational Chart.
2. Proposer must have five (5) years of experience providing integrated outpatient mental health services, within the last five years, consistent with or similar to the services identified in the SOW Exhibits, Appendix B1, Exhibit 5.
3. Proposer must demonstrate the ability to provide mental health services to CalWORKs WtW participants that are designed to remove mental health barriers to employment by documenting on their proposal their

experience in serving the CalWORKs population.

4. Proposer must demonstrate their presence, commitment and experience in each of the SA(s) (if submitting multiple SAs) to be served by documenting in their proposal their collaboration, via Memorandum of Understanding, with other agencies in their community and the services that are currently being provided.
5. Proposer must have the ability to identify and document participant's mental health barriers to employment and participants must have an impairment (mental or emotional) that creates a barrier to employment and meet diagnostic criteria for at least one mental health disorder as defined in the DSM-V. However, participant does not have to meet DMH's medical necessity criteria to be served.
6. Proposer must be able to provide mental health services with a focus on adult evidence-based practices as therapeutic interventions.
7. Proposer must have five (5) years of demonstrated experience in contracting with either a private or public entity, providing integrated mental health services to individuals and families.
8. Proposer must be able to provide administrative, fiscal, and programmatic oversight and demonstrate the ability to begin providing services, after Board approval, within 30 calendar days following the effective date of the Agreement.
9. Proposer must demonstrate their ability to develop services specifically tailored to the CalWORKs WtW populations. Services offered must cross a wide range of modalities, including but not limited to, individual/group therapy, collateral services, individual/group

rehabilitation; medication management, education & support, crisis intervention, and case management.

10. Proposer must also demonstrate their ability to treat co-occurring disorders, i.e., substance use disorder with mental health (SUD/MH) and/or domestic violence and mental health (DV/MH) services. For agencies without co-occurring treatment services, strong coordination and collaboration with a SUD and/or DV agencies must be demonstrated via established partnerships or program development.
11. Proposer must clearly describe how professional and para-professional staff will be utilized in providing employment-focused mental health supportive services to CalWORKs WtW participants.
12. Proposers must demonstrate their commitment to providing vocational and employment services to clients receiving mental health services at their agency.
13. Proposers must demonstrate the ability to provide Supported Employment – Individual Placement and Support in concert with mental health treatment to facilitate CalWORKs WtW participants' re-entry into the workforce.
14. Proposer should be able to demonstrate a stable management background with utilization of responsible and accepted accounting practices. Proposer should be able to demonstrate experience in demonstrating program outcomes by use of accepted outcome measures.
15. Proposer must demonstrate existing programs within their agency that would support the absorption of existing CalWORKs participants being serviced within their

respective SA if awarded a CalWORKs allocation for FY 2016-17.

16. Proposer must demonstrate their capacity to have a fully operational CalWORKs mental health supportive services program within 30 days of Board of Supervisors approval of contract award.

**B. Proposer's Performance History (Section B.2)**

Proposer must submit three (3) signed letters of reference, including references from contracts or business arrangements where the required or substantially similar scope of services were provided that substantiate Proposer's ability to provide CalWORKs mental health supportive services.

DMH shall not be listed as a reference. References are not limited to those who have/had an actual contract with the Proposer. Other non-contract business arrangements may be reported but must be explained in a manner satisfactory to the County. DMH shall contact and verify the references to assess a Proposer's performance history. It is the Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms - Exhibits 2 and 3 in Appendix C – Required Forms.

County may disqualify a Proposer if:

- references fail to substantiate Proposer's description of the services provided; or
- references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or
- the Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact of LACDMH's normal working hours.

The Proposer must complete and include Exhibits 2, 3 and 4 in

#### Appendix C - Required Forms.

a. Prospective Contractor References, Exhibit 2

Proposer must provide three (3) references where the same or similar scope of services provided by the Proposer.

b. Prospective Contractor List of Contracts, Exhibit 3

The listing must include all Public and Private Entity contracts for the last three (3) years. Use additional sheets if necessary.

c. Prospective Contractor List of Terminated Contracts, Exhibit 4

Listing must include contracts terminated within the past three (3) years with a reason for termination.

#### **C. Proposer's Pending Litigation and Judgments (Section B.3)**

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

#### **7.8.6 Proposer's Approach to Provide Required Services (Section C) (limit 20 pages)**

Present a description of the methodology the Proposer will use to meet Contract work requirements. Describe in detail how the services will be performed to meet the intent of the SOW, Appendix B.

a. Proposer is to describe how they will implement an employment-focused mental health treatment program designed to remove mental health barriers to employment for CalWORKs WtW participants/program.

b. Proposer is to describe how their delivery of mental health supportive services will align with DMH's identified Levels of Care.

c. Proposer is required to clearly indicate the service delivery site and description of the CalWORKs target population to be served.

d. Proposer is required to describe how participants will be assigned to their respective Levels of Care.

e. Proposer is to describe their level of professional and para-

professional staff and their individual functions while working on the treatment team.

- f. Proposer is to describe, in detail, their program's ability to provide co-occurring treatment services and/or describe their partnerships in providing these services.
- g. Proposer is to fully describe their plans to implement an employment focused service delivery system to include the Supported Employment – Individual Placement and Support (SE – IPS) evidence-based model.
- h. Proposer must describe the agency's community outreach activities to potential employers as part of the incorporation of SE – IPS into mental health services.
- i. Proposer will be evaluated on their ability to clearly outline its plan to engage and re-engage CalWORKs WtW participants in treatment services.
- j. Proposer is to describe how it plans to conduct outreach activities to CalWORKs WtW participants.
- k. Proposer is to clearly describe how it plans to develop a multidisciplinary treatment team to assist CalWORKs WtW participants/program in removing mental health barriers to employment, while providing SE–IPS services.
- l. Proposer must describe how agency accepts and schedules clinical assessment appointments according to DPSS Priority Referral Levels.
- m. Proposer must describe the agency's centralized appointment-scheduling system which allows GAIN staff to be provided with a clinical assessment appointment upon first contact with the agency.
- n. Proposer described their plan and policies to coordinate services with GAIN.
- o. Proposer must provide description of training and education required for members of the multidisciplinary treatment team in order to fully implement services as specified in Appendix B, SOW.

- p. Proposer is required to describe agency discharge and follow-up procedures, referral procedures within programs of service. Any deviation from these procedures must be documented under the appropriate program description.
- q. Proposer is required to describe the agency's plan for actively engaging community agencies, human service organizations, and CBO's to enhance services provided to CalWORKs WtW participants.

**7.8.7 Proposer's CalWORKs Quality Control Plan (Section D) (limit 5 pages)**

Present a comprehensive Quality Control Plan specific to CalWORKs mental health supportive services to be utilized by the Proposer as a self-monitoring tool to ensure the required services are provided as specified in Exhibit 18 - Appendix B1, SOW Exhibits, Performance Requirements Summary.

The plan should include the following activities that are monitored to ensure compliance with all Contract requirements:

- Monitoring methods to be used;
- Frequency of monitoring;
- Samples of forms to be used in monitoring;
- Ensure Title/level and qualifications of personnel performing monitoring functions:
- Tracking of CalWORKs participants' progress through the use of a Levels of Care instrument;
- Tracking of Employment Outcomes;
- Tracking completion and submission of the CalWORKs Monthly Report Card by the 10<sup>th</sup> day of the month following the reporting month;
- Documentation methods of all monitoring results, including a plan to correct any deficiencies in the quality of services;
- The proposer must demonstrate their method for monitoring contract utilization;

- Proposer must describe all policies related to the handling and resolution of grievances and appeals;
- Proposer must clearly delineate all measures to secure all Protected Health Information (PHI) management information data.

**7.8.8 Proposer's Staffing Plan (Section E) (limit 5 pages)**

Present a detailed staffing plan that will ensure full compliance with the Contract requirements as specified in Section 3.0 of Appendix B, SOW and consistent with the Proposer's stated methodology of providing CalWORKs mental health supportive services. The staffing plan must be supported by and consistent with the Proposer's budgeted costs.

1. Describe your plan for ensuring that services are provided in a culturally and linguistically competent manner, reflective of the community to be served, including the ability to serve monolingual residents.
2. Describe the duties and responsibilities of any proposed direct services employees, post-master's interns and peer volunteers.
3. Describe how supervision will be provided to clinical staff, licensed/waivered staff, para-professional staff, post-master's interns and volunteers.
4. Describe and clearly delineate how professional/para-professional staff will be used in providing employment-focused mental health supportive services to CalWORKs WtW participants/program.
5. Describe the on-going training plan for all staff. The plan should address training of new and ongoing, both full-time and part-time employees, post-master's interns, peer volunteers, and other persons involved in the project who will deliver or facilitate the delivery of services.
6. Complete (Exhibit 16 – Appendix C – Required Forms) include all staff assigned to the project: all direct service staff, post-master's interns and peer volunteers. Provide names or indicate staff that are to be hired.

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#### **7.8.9 Budget (Section F)**

Complete all forms in the Budget section (Exhibits 14-15).

**The program budget shall be based on the projected annual funding for the allocation per award in the identified SA as referenced in 2.6.** The Budget Forms shall provide an explanation of the proposed budget costs and a justification for the costs. Budget documents must also provide the formulas (calculations) showing how each dollar amount that appears on the Budget was calculated. All amounts are to be rounded off to the nearest dollar.

The content and sequence of the proposal must be in order as follows:

Budget Format (Section F)

##### **A. Budget Narrative and Justification**

Contractors are required to complete the requested information as provided in Exhibit 14, Appendix C – Required Forms.

##### **B. Program Description and Negotiation Package**

Contractors are required to complete the requested information as provided in Exhibit 15, Appendix C – Required Forms.

#### **7.8.10 Proposer's Green Initiatives (Section G) (limit 1 page)**

Present a description of proposed plan for complying with the green requirements as described in Section 15.0 of the SOW, Appendix B.

Describe your company's current environmental policies and practices and those proposed to be implemented.

A. Contractor shall use reasonable efforts to initiate "green" practices for environmental and energy conservation benefits.

B. Contractor shall notify County's Project Manager of Contractor's new green initiatives prior to the contract commencement.

#### **7.8.11 Terms and Conditions in Sample Contract, and Requirements of the SOW: Acceptance of (Section H)**

A. It is the duty of every Proposer to thoroughly review the Sample Contract, Appendix A and SOW, Appendix B to ensure compliance with all terms, conditions and requirements. It is the County's expectation that in submitting a proposal the Proposers

will accept, as stated, the County's terms and conditions in the Sample Contract and the County's requirements in the SOW.

B. Section H of Proposer's response must include:

1. A statement offering the Proposer's acceptance of all terms and conditions listed in Appendix A, Sample Contract;
2. A statement offering the Proposer's acceptance of all requirements listed in Appendix B, SOW.

The County reserves the right to make changes to the Sample Contract, Appendix A and its appendices and exhibits at its sole discretion.

#### **7.8.12 Proposal Required Forms (Section I)**

Complete, sign, date, and include **all** forms as provided in Appendix C Required Forms Exhibits 1- 16.

- Exhibit 1 Proposer's Organization Questionnaire/Affidavit
- Exhibit 2 Prospective Contractor References
- Exhibit 3 Prospective Contractor List of Contracts
- Exhibit 4 Prospective Contractor List of Terminated Contracts
- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Intentionally Omitted
- Exhibit 8 Proposer's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 Contractor Employee Jury Service Program - Certification Form and Application for Exception
- Exhibit 11 Charitable Contributions Certification
- Exhibit 12 Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 13 Financial Capability
- Exhibit 14 Budget Narrative and Justification
- Exhibit 15 Program Description and Negotiation Package
- Exhibit 16 Supportive Services Staff Form

#### **7.8.12.1 Financial Capability (Exhibit 13)**

Proposer must provide copies of the company's most current and prior two (2) fiscal years (for example 2014 and 2015) financial statements. Statements should include the company's assets, liabilities and net worth and, at a minimum, should include the Balance Sheet, Statement of Income, and the Statement of Cash Flow. It should be noted that depending on the nature of the entity, i.e., for-profit, non-profit, governmental, the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, these should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

Proposers with average annual operating revenues based on the following parameters shall submit either compiled, reviewed, or audited financial statements:

- Compiled statements – annual operating revenues averaging up to \$49,999;
- Reviewed statements – annual operating revenues averaging from \$50,000 - \$499,999.
- Audited statements – annual operating revenues averaging \$500,000 or more. The opinion of the Certified Public Account (CPA) is to be included. If the opinion is qualified in any way, an explanation regarding the nature of the qualification is to be provided.

#### **7.9 Proposal Submission**

The original Proposal and eight (8) numbered copies shall be enclosed in a sealed box, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

## **"PROPOSAL FOR CalWORKs Mental Health Supportive Services"**

**For SA \_\_\_\_\_**

The Proposal(s) shall be delivered or mailed to:

Angel Baker, Interim Chief

Contracts Development and Administration Division

County of Los Angeles - Department of Mental Health

550 S. Vermont Ave, 5<sup>th</sup> Floor, Room 500

Los Angeles, CA 90020

It is the sole responsibility of the submitting Proposer to ensure that its Proposal is received before the submission deadline. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. In order to meet the submission deadline, you must allow sufficient time to find parking, go through our security process on the first floor (show proper identification and get a visitor's pass), take the elevator to the 5<sup>th</sup> Floor, Room 500, and obtain a confirmation of delivery receipt.

Any Proposals received after the scheduled closing date and time for receipt of Proposals, as listed in Section 7.2 RFP Timetable, will not be accepted and returned to the sender unopened. Timely hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

Until the proposal submission deadline, errors in proposals may be corrected by a request in writing to withdraw the proposal and by submission of another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.

**The deadline for submitting the Proposal is: September 27, 2016.**

All proposals shall be firm and final offers and may not be withdrawn for a period of one hundred eighty (180) days following the final proposal submission date.

### **8.0 SELECTION PROCESS AND EVALUATION CRITERIA**

#### **8.1 Selection Process**

The County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the

successful proposal(s). The selection process will begin with receipt of the proposal on September 27, 2016.

Evaluation of certain sections of the proposals will be made by an Evaluation Committee selected by the Department. At the discretion of the Department, other sections of the proposals will be evaluated by Subject Matter Experts selected by the Department. The Evaluation Committee and Subject Matter Experts will evaluate the proposals using The Informed Averaging method (Board of Supervisors Policy No. 5.054). The Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Contractor.

All proposals will be scored and ranked in numerical sequence from high to low. After a prospective Contractor has been selected, the County and the prospective Contractor(s) will negotiate a Contract for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Contract cannot be negotiated, the County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a proposal, as determined by the County

The recommendation to award a Contract will not bind the Board of Supervisors to award a Contract to the prospective Contractor.

The County retains the right to select a Proposal other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal is the most overall qualified, responsive, responsible and in the best interests of the County.

## **8.2 Adherence to Minimum Requirements (Pass/Fail)**

County shall review the Proposer's Organization Questionnaire/Affidavit - Exhibit 1 of Appendix C, Required Forms, and determine if the Proposer meets the minimum requirements as outlined in Paragraph 3.0 of this RFP.

Failure of the Proposer to comply with the minimum requirements may eliminate its proposal from any further consideration. The County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.

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### **8.3 Disqualification Review**

A proposal may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If a Department determines that a proposal is disqualified due to non-responsiveness, the Department shall notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination. A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Disqualification Review is a Proposer;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
3. The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

Proposer can also be disqualified for non-responsibility – See Section 5.7.

### **8.4 Proposal Evaluation and Criteria (10,000 points maximum)**

The total number of points overall that can be earned is 10,000.

Any reviews conducted during the evaluation of the proposal may result in a point reduction.

#### **8.4.1 Executive Summary (500 points, 5%)**

Proposer will be evaluated on its description of Proposer's Executive Summary based on information provided in Section A of the proposal. (Referenced in 7.8.4)

#### **8.4.2 Proposer's Qualifications (3,000 points, 30%)**

1. Proposer will be evaluated on their experience and capacity as

a corporation or other entity to perform the required mental health services based on information provided in Section B.1 of the proposal. (Referenced in 7.8.5)

2. Proposer's performance history will be evaluated on the verification of references provided in Section B.2 of the proposal. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other contracts. This review may result in point deductions up to 100% of the total points awarded in this evaluation category. Additionally a review of terminated contracts will be conducted which may result in point deductions. The County maintains databases that track-monitor contractor performance history. Information entered into such databases may be used for a variety of purposes, including determining whether the County will exercise a contract term extension option.
3. The County may declare a Proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

**8.4.3 Proposer's Approach to Provide Required Services** (4,500 points, 45%)

The Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in Section C of the proposal. (Referenced in 7.8.6)

**8.4.4 Quality Control Plan** (500 points, 5%)

The Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) based on the information provided in Section D of the proposal. (Referenced in 7.8.7)

**8.4.5 Staffing** (1,000 points, 10 %)

Proposer will be evaluated on its description of Proposer's Staffing Plan based on information provided in Section E of the proposal. (Referenced in 7.8.8)

Proposer will be evaluated on its ability to provide multi-cultural and multi-linguistic services to their respective populations within the specified SA.

Proposer is to describe the staffing plan on how staff will be used for direct treatment services.

Proposer must also clearly describe the level of staff in relationship to the provision of CalWORKs mental health supportive services as referenced in Section 3.0 of the SOW, Appendix B.

Proposer must provide background and security investigations of all staff as a condition of beginning and continuing work under this contract. The cost of background checks is the responsibility of the Contractor as referenced in Section 3.1.1 of the SOW, Appendix B.

**8.4.6 Budget** (500 points, 5%)

Proposer will be evaluated on the completeness of all forms in the

Budget section. (Exhibits 14 and 15, Appendix C - Required Forms)

#### 8.4.7 Green Initiatives

Proposer will be required to describe its ability to comply with the green requirements as described in Section 15.0, SOW, Appendix B.

Proposer must demonstrate its use of environmentally preferable products and services.

### 8.5 Scoring Criteria

Scoring Category	Maximum Points	
	Point Range	Maximum Points
A. Executive Summary	0-500	500
B. Proposer Qualifications		3,000
• Background and Experience	0-2700	
• Proposer's Performance History	0-300	
C. Approach to Provide Required Services		4,500
• Program Design	0-2900	
• Commitment to Support mental health services to CalWORKs WtW	0-750	
• Community Outreach & Engagement	0-450	
• Additional Commitments	0-400	
D. Quality Control Plan		500
• Tracking and performance	0-100	
• Frequency and monitoring methods	0-100	
• Quality Improvement Plan	0-300	
E. Staffing		1,000
• Multi-Lingual, Culturally Sensitive Staff	0-250	
• Staffing Plan	0-250	
• Training Plan	0-250	
• Supervision Plan	0-250	
F. Budget		500
• Funding Compliance and Form Completion	0 or 500	
G. Green Initiatives	Compliant	Yes or No

H. Terms and Conditions in Sample Contract, and Requirements of the SOW: Acceptance of	Compliant	Yes or No
I. Proposal Required Forms	Exhibits 1-16 included	Yes or No
Total:		10,000

Proposals will be scored using the criteria below. The maximum scored points for CalWORKs is 10,000.

## **8.6 Department's Proposed Contractor Selection Review**

### **8.6.1 Departmental Debriefing Process**

Upon completion of the evaluation, the Department shall notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see Section 8.6.2 below), if the requesting Proposer is not satisfied with the results of the Debriefing.

### **8.6.2 Proposed Contractor Selection Review**

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Section may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Contractor Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
  - a. The Department materially failed to follow procedures specified in its solicitation document. This includes:
    - i. Failure to correctly apply the standards for reviewing the proposal format requirements.
    - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document
    - iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
  - b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
  - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.

- d. Another basis for review as provided by State or federal law;  
and
4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the most responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a County Independent Review. (see Section 8.7 below)

## **8.7 County Independent Review Process**

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

A request for County Independent Review may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a County Independent Review is a Proposer;
2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
3. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 8.6.2 above.

Upon completion of the County Independent Review, Internal Services Department will forward the report to the Department, which will provide a copy to the Proposer.